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THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

PART II EXTRAORDINARY

No.36

AMARAVATI, TUESDAY, APRIL 20, 2021

G.43

NOTIFICATIONS BY HEADS OF DEPARTMENTS, Etc.

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SECRETARY TO CHIEF COMMISSIONER OF STATE TAX ANDHRA PRADESH : : VIJAYAWADA.

Proceedings on CCSTs Ref.No C2/2/2018.

Dated: 14-11-2018.

PROVISIONAL SENIORITY LIST IN THE CADRE OF SUPERINTENDENTS IN THE O/o CCST - SHOW CAUSE NOTICE ISSUED - OBJECTIONS - CALLED FOR - EXAMINED PROPOSED TO ISSUE INTEGRATED PROVISIONAL SENIORITY IN THE CADRE OF SUPERINTENDENTS / SPECIAL CATEGORY STENOS - REVISED SHOW CAUSE NOTICE IN THE CADRE OF SUPERINTENDENT / SPECIAL CATEGORY STENOS ISSUED - OBJECTIONS CALLED FOR - OBJECTIONS NOT RECEIVED - FINALIZED INTEGRATED SENIORITY LIST CADRE OF SUPERINTENDENT / SPECIAL CATEGORY STENOS.

- Ref : 1) CCT's Ref.C1/1085/1999, Dated: 31-07-2010.
2) CCT's Ref.C1/1085/1999, Dated: 10-01-2013.
3) CCT's Ref.No.C2/2/2018, Dt: 02-05-2018 (Show cause Notice).
4) Objections filed by Smt.D.Kaika, Superintendent, O/o CCT, A.P., Vijayawada, Dt: 23-05-2018.
5) CCT's Ref.No.C2/2/2018, Dt: 22-10-2018 (Revised Show cause Notice)
6) Objections filed by Smt. D.Kaika, Superintendent, O/o CCT, A.P., Vijayawada, Dt: 01-11-2018.

In the reference 1st cited, the Integrated Seniority list of Superintendents/ Special Category Stenographers in the Office of the Commissioner of Commercial Taxes, Andhra Pradesh, was finalized upto the period from 1962 to 2000. This seniority list starts with name of Sri R.L.Purushotham and ends with Sri P.N.Madhu. Subsequently, on issuance of G.O.Ms.No.880 & 881 Revenue (CT.I) Department, dated 25-06-2007. Sri Y.Sambasiva Rao, was absorbed as Senior Assistant w.e.f. 29-11-1993 and Sri K.VenkataRatnam, was absorbed as Sr.Assistant, w.e.f.24-02-1994 vide CCT's Ref.No.C1/1215/2003, dated 29-05-2008. Accordingly, their seniority was finalized in the cadre of Senior Assistants and their names were placed at Sl.No.115-A and 115-B respectively in the finalized Seniority list of Senior Assistants vide CCT's Ref.No.C1/1215/2003, dated 05-04-2010. Subsequently, on the strength of the above GOs, the above individuals were notionally promoted to the cadre of Superintendent w.e.f. 19.08.2010, vide CCT's Ref.C1/1215/2003, dated 10.08.2010. In pursuance to the above notional promotion, it was proposed to assign notional seniority in the cadre of Superintendent, placing their names below the name of Sri B.Raghupathi, Sl.No.123 and on and above the name of Sri P.N.Madhu, Sl.No.124 in the integrated seniority list of Superintendent and Spl.Category Stenographers finalized vide reference 1st cited. Accordingly, a Show Cause Notice to that effect was issued vide reference 2nd cited. But, the said Show Cause Notice was not finalized due to litigation on the above GOs before the Hon'ble APAT/ Hon'ble High Court.

2. As matter stood thus, aggrieved upon the orders in G.O.Ms.No.880 & 881, Revenue (CT.III) Department, Dt: 25.06.2007 and consequential proceedings issued thereto, certain employees of this office, initially approached the Hon'ble APAT and subsequently, to the Hon'ble High court of Andhra Pradesh by way of filling W.P.Nos 7394, 6658, 6650 and 6640 of 2014. The Hon'ble High Court of Andhra Pradesh allowed the Writ Petitions vide their orders dated 02-12-2016 setting aside the G.O.Ms.No.880 and 881, Revenue (.CT.III) Department, Dt:25.06.2007 issued in favor of Sri Y.Sambasiva Rao and Sri K.Venkataratnam holding that they are not entitled to the benefit of the absorption in the category of Senior Assistant either with effect from 29-11-1993 or 24-02-1994 or w.e.f. any date anterior to what was offered to them under G.O.Ms.No.72, Revenue Department, dated 20-01-2001. In the light of orders dt. 02-12-2016 of Hon'ble High Court of A.P. and orders of the Government Memo No.10018/CT.I(2)/2012-13. Revenue (CT.I) Department, dated 23-12-2016, the retrospective absorption in the cadre of Senior Assistant and consequential Notional Promotion in the cadre of Superintendent granted to the above individuals and all other relevant proceedings issued basing on the above G.O.s were withdrawn by this office in various proceedings. In view of the facts and circumstances stated supra. The Show cause Notice issued vide reference 2nd cited, proposing to assign notional seniority to the above individuals in the cadre of Superintendents placing their names below the name of Sri B.Raghupathi, SI.No.123 and on and above the name of Sri P.N.Madhu, SI.No.124 now became honest and cannot be acted upon it.

3. In view of the above, in continuation to the earlier seniority list of Superintendents finalized for the period from 1962 to 2000 in the reference 1st cited, it is required to prepare a further seniority list in the cadre of Superintendents. Hence it is proposed to finalize the Seniority of certain employees in the cadre of Superintendents for the period commencing from 2001 to 2016, basing on the existing seniority list of Senior Assistants finalized in various spells and as per the records available at present in this office. In this process the names of the persons who were appointed by transfer as ACTOs from the cadre of Senior Assistants, the names of the persons who were appointed by transfer as ASOs from the cadre of Senior Assistants, the names of the persons who were allotted to Telangana State as Senior Assistants are deleted from the above proposal. The present proposed seniority list in the cadre of Superintendent is limited up to seniority lists finalized in the cadre of Senior Assistants.

Sl. No.	Date of arising vacancy	Name of the Senior Assistant	Date of Joining as Superintendent	Communal Roster	Remarks
1	29.04.2005	N.Chandrasekhar Rao	19.11.2005	1	Drafted to Secretariate
2	31.08.2005	M.Subrahmanyam (SC)	19.11.2005	2 SC(W)	Allotted to Telangana
3	01.05.2007	N.Madhavi	23.01.2010	3	Allotted to Telangana
4	31.01.2009	T.V.Bhaskar	23.01.2010	4	
5	30.06.2009	S.V.P.Sarvani	29-06-2012	5	Retired
6	30.06.2009	B.Ramesh	12-09-2012	6	Allotted to Telangana
7	30.06.2010	K.Sumitra (SC)	03.07.2012	7 SC	Expired
8	05.05.2012	Carried forwarded		8 ST-W	
9	30.06.2012	K.V.S.Prasad	15.12.2012	9	Retired
10	30.06.2012	SKM Jani	25-02-2013	10	Retired
11	25.11.2012	C.V.S.Ravi Kumar	01-08-2013	11	
12	25.11.2012	P.S.N.Rao	13-11-2013	12	Allotted to Telangana
13	02.12.2012	Uma Maheswara Rao	17-05-2014	13	Allotted to Telangana
		D.Kaika (ST)	26-02-2013		Promoted in Carried forward vacancy of 8 ST as she is qualified on 22-12-2012 - Sl.No8
14	26.06.2013	S.V.Ragavachryulu	27-07-2016	14	
15	30.04.2014	ADP Raj Kumar	27-07-2016	15	
16	30.06.2016	D.Sulochana (SC)	01-08-2016	16 SC	
17	31.07.2016	P.V. Meenakshi	09-12-2016	17	Retired
18	31.07.2016	R.Venkata Subbaiah	09-12-2016	18	
19	07.12.2016	Md. Ibrahim	09-12-2016	19	
20	07.12.2016	O. Usha Rani	09-12-2016	20	Retired
21	07.12.2016	J. Gopal	09-12-2016	21	
22	07.12.2016	M.Jayavardhan (SC)	09-12-2016	22 SC	
23	07.12.2016	R. Sambasiva Rao	09-12-2016	23	
24	07.12.2016	K. Anantha Reddy	09-12-2016	24	
25	07.12.2016	D. Veerabrahmam	09-12-2016	25-ST	Adequacy reached filled with General
26	07.12.2016	P.A.B.K.V.K. Varma	09-12-2016	26	
27	07.12.2016	J. Kristopher (SC)	09-12-2016	27 SC	
28	07.12.2016	Ch. Gopal	09-12-2016	28	
29	07.12.2016	N. Venkatrama Reddy	09-12-2016	29	
30	07.12.2016	A. Balaveeranna	09-12-2016	30	
31	07.12.2016	V. Bhanu Prasad	09-12-2016	31	

4. Therefore, in the reference 3rd cited, the individuals placed in the above seniority list were requested to file their written objections, if any, against the proposed Seniority List of Superintendents within 7 days from the date of receipt of the notice or from the date of affixing the same in the notice board of this office, failing which, it will be construed that they have no objections, to file against the proposed seniority list and appropriate orders will be passed without any further notice.

5. In response only one individual namely Smt.D.Kaika, Superintendent Grade-I has filed objections stating that that she was promoted in the vacancy meant for ST-Women against Roster Point No.8 on 26.02.2013. But, in the show cause notice, her name placed below Sri Uma Maheswarao who was listed at Serial No.13. In this connection, she submitted that, though her name supposed to be placed at Sl.No.8 (Roster Point No.8 (ST-W)), it was lowered 5 places and kept below Sl.No.13, which is against the Communal Roster System.

She further submitted that she was joined in this office as Junior Steno on 25.11.2004 subsequently promoted as Senior Assistant on 23-12-2009. In both the cadres her services were regularized and declared probation. Further, she submitted that, she got promoted as Superintendent on 26.02.2013 in pursuance of the proceedings passed in Prodgs.No.C1/163/2012, dt:25.02.2013. The Communal Roster Point Number -8 (ST-W) is a point which is reserved for ST-Woman. In the proposed Seniority List, it was kept blank and name was shown below Sl.No.13 is not according to the rules and regulations. She had been promoted as Superintendent on 26.02.2013 against the Communal Roster Point No.8 (ST-W) after fulfilling all the eligibility criteria which is required to the post of Superintendent. Once her eligibility for promotion is confirmed i.e., by 22.12.2012, her name has to be placed at Serial No.8 i.e., above Sri Sk.M.Jani, who got promoted against the Communal Roster Point No.10 (OC), on 25.02.2013.

She further submitted that Sri C.V.S.Ravi Kumar (Sl.No.11) promoted as Superintendent on 01-08-2013 whereas she was promoted as Superintendent on 26-02-2013 promoted before 5 months 5 days of Sri C.V.S.Ravi Kumar. Further she submitted that though she got promotion on 26-02-2013, she had attained the eligibility on 22-12-2012 i.e., 2 months 4 days before her promotion. This will give a clear picture that she got the eligibility for the promotion as Superintendent on 22-12-2012 i.e., 8 months 8 days before the promotion of Sri C.V.S.Ravi Kumar who got promoted on 01-08-2013. But, her name was placed below Sl.No.13 and not assigning any serial number is against the principles of natural justice and also against A.P.M.S. Rules 1996. Therefore, she requested to place her name below Sri K.V.S.Prasad (Sl.No.9) and above Sri Sk.M.Jani (Sl.No.10).

6. Reply to Objection: It is submitted that as per the Para-13 of G.O.Ms.No.2, Social Welfare department dt.09-01-2004, in case the qualified SC/ST candidates are not available in the second year also and such vacancies or points meant for SC/ST are filled up by the candidates based on merit and seniority, the number of such vacancies meant for SC /ST should be carried forward and filled up first in the immediate subsequent year with SC/ST candidates. In the instant case, in the second year or in the subsequent years, the vacancies meant for SC/ST were not filled by the candidates based on merit and seniority. As such the above provision is not applicable to the present preposition of seniority. It is submitted that in the case of the promotions for Non-Gazetted Officers, the date of arising vacancy and the date of acquiring eligibility/ qualification are criteria. In the present case Smt.D.Kaika has completed 3 years of service in the feeder category of Senior Assistant only on 22-12-2012. Hence, she is qualified and eligible for promotion only after 22-12-2012 but not earlier to that date. Accordingly, she is placed in the proposed seniority list of Superintendent. Infact her claim of seeking earlier date without being qualified to hold that post is incorrect.

On issuance of G.O.Ms.No.880 & 881 Revenue (CT.I) Department, dated 25-06-2007. Sri Y.Sambasiva Rao, was absorbed as Senior Assistant w.e.f. 29-11-1993 and Sri K.VenkataRatnam, was absorbed as Sr.Assistant, w.e.f.24-02-1994 vide CCT's Ref.No.C1/1215/2003, dated 29-05-2008. Accordingly, their seniority was finalized in the cadre of Senior Assistants and their names were placed at Sl.No.115-A and 115-B respectively in the finalized Seniority list of Senior Assistants vide CCT's Ref.No.C1/1215/2003, dated 05-04-2010. Subsequently, on the strength of the above GOs, the above individuals were notionally promoted to the cadre of Superintendent w.e.f. 19.08.2010, vide CCT's Ref.No.C1/1215/2003, dated 10.08.2010. In pursuance to the above notional promotion, it was proposed to assign notional seniority in the cadre of Superintendent, placing their names below the name of Sri B.Raghupathi, Sl.No.123 and on and above the name of Sri P.N.Madhu, Sl.No.124 in the integrated seniority list of Superintendent and Spl.Category Stenographers finalized vide reference 1st cited.

However, the Hon'ble High Court in its orders dt.02-12-2016 has struck down the above said G.Os and in pursuance of consequential orders of the Government Memo No.10018/CT.I(2)/2012-13, Revenue (CT.I) Department, Sri Y.Sambasiva Rao and Sri K.Venkataratnam were reverted as Senior Assistant from the cadre of Superintendent. Hence, two vacancies arose in Superintendent Cadre. These two vacancies were arisen prior to promotion of Smt.D.Kaika who promoted on 25-02-2013. Therefore, the name of Sri C.V.S.Ravi Kumar is adjusted in one of the above said two vacancies, even though he was promoted on 01-08-2013. Accordingly, Sri C.V.S.Ravi Kumar name is now placed above the name of Smt.D.Kaika.

7. Therefore, the objection of Smt.D.Kaika is not feasible and rejected.

8. Further, it is submitted that the Show cause which was issued vide reference 3rd cited is only in the cadre of Superintendent. Hence, it is necessary to issuance of Integrated Seniority list in the cadre of Superintendent and Special Category Stenos.

9. Therefore, it is proposed to include the names of Special Category Stenos in the integrated seniority of Superintendents and Special Category Stenos. As per records available the integrated seniority list has been prepared as per Rule 33(a) of A.P.S & SS Rules.

10. Accordingly, vide reference 5th cited a revised Show Cause Notice proposing the Integrated Seniority list in the cadre of, if Superintendents/ Special Category Stenos issued and directed the individuals to file their written objections any, within (7)days from the date of receipt of the notice or from the date of affixing the same in the notice board of this office, failing which, it will be construed that they have no objections, to file against the proposed seniority list and appropriate orders will be passed without any further notice.

11. In compliance to the Revised show cause notice Smt.D.Kaika, Superintendent Grade-I filed the following objections stating that in respect of her position in the Seniority list i.e. placing her at S.No.144 of the list after Sri Umamaheswrao, PSN RAO (142) and CVS Ravi Kumar S.no.141, as under;

- | | |
|-----------------------|--------------|
| i. D. Kaika | - 26.02.2013 |
| ii. Sri CVS Ravikumar | - 01.08.2013 |
| iii. PSN Rao | - 13.11.2013 |
| iv. Umamaheswara Rao | - 17.05.2014 |

In view of the above she submitted that Sri CVS Ravi Kumar (S.No.141) has attained eligibility for promotion of superintendent before 22.12.2012 and promoted as superintendent on 01.08.2013 whereas she attained eligibility on 22.12.2012 and promoted as superintendent on 26.02.2013 which means she is Senior to Sri C.V.S.Ravi Kumar at least 6th months in the cadre of superintendent. Hence, placing her below to Sri CVS Ravi Kumar is contrary to the established procedure governing A.P CIVIL SERVCIES RULES. Position of seniority, according to date of promotion is as under:

She further submitted that the issue of G.O.Ms.NO.880 & 881, Revenue (CT-1) Department dt.25.06.2017 is no way related to her. Under the guise of these orders, placing the Sri. CVS Ravi Kumar above her name in the vacancies arose due to Hon'ble High court order 02.12.2016, is quite irregular. Further, taking into account of seniority from the date of giving promotions to Sri Y.Sambasivarao and Sri K. Venkataratnam, is not at all a ground to push her below the name of Sri CVS Ravi Kumar (S.No.141). In fact, the said grounds are misinterpreted in her case.

She further submit that her vacancy arose much before the vacancy of Sri CVS Ravikumar and she got eligibility on 22.12.2012 and requested to **fix her seniority from 22.12.2012 as she was fully qualified by that time.**

In view of the above circumstances, she requested to place her at S.No.140 above (SKM Jani) and below Sl. No.139 (KVS Prasad), considering the dates of arising vacancy, eligibility and promotion and do justice to her.

Reply to Objection:- By virtue of G.O.Ms Nos. 880 & 881 Revenue CT. Department dated 25.06.2007, Sri Y.Samba Siva Rao (O.C) and Sri K. Venkata Ratnam (O.C) got retrospective seniority in the cadre of Senior Assistant. Consequently they became seniors to certain individuals inclusive of Sri C.V.S Ravi Kumar in the seniority list of Senior Assistants. While granting promotions to the cadre of Superintendents from the category of Senior Assistant, the vacancies arose in the Open Category were allocated initially to Sri Y. Samba Siva Rao and Sri K. Venkata Ratnam. The above G.Os did not affect the promotions of the reserved candidates in any way in the cadre of Superintendent. The reserved candidates were allotted to their communal roster points at the time of promotion to the cadre of Superintendent. But, due to the occupation of Open Category vacancies by the above two individuals by virtue of above G.Os , certain O.C individuals inclusive of Sri C.V.S Ravi kumar had to wait for some time to be promoted as Superintendents. As such their promotion was delayed. Later the Hon'ble High Court of A.P allowed the W.P Nos. 7394, 6658, 6650 & 6640 of 2014 setting aside the impugned G.O.Ms Nos. 880 & 881, dated 25.06.2007. In view of the orders of the Hon'ble High Court in the above W.Ps, Sri Y. Samba Siva Rao and Sri K. Venkata Ratnam were reverted to the post of Senior Assistant. The vacancies in the cadre of Superintendent which were allotted initially to the above two individuals, have to allocate to the other O.C Candidates who were subsequently promoted as Superintendents. In the process of implementation of the orders of the Hon'ble High Court, Certain Open Category candidates due to the reallocation of vacancies became seniors to the reserved candidates.

Further, it is to inform that her objections were already elaborately answered at Para-6 above, hence the same is re-iterated.

In view of the above circumstances and the Hon'ble High Court Orders the request of the Sri D. Kaika to place her name on and above the name of Sri S.K.M Jani and Sri C.V.S Ravi Kumar is not feasible and rejected.

12. In view of the above discussion final orders are hereby passed on the integrated seniority list of Superintendents/ Special Category Stenos of Office of the Chief Commissioner of State Tax, Vijayawada for the period from 2001 to December 2016. Finalized seniority list enclosed as a Annexure.

13. These final orders are issued subject to outcome of SLP's/WP's/ OA's/CAs/appeals pending, if any, before the respective Appellate forums.

T. K. RAMAMANI,
Secretary to Chief Commissioner (ST).

ANNEXURE

(CCST's Ref.No.C2/2/2018, dt.14-11-2018)

STATEMENT SHOWING THE FINALISED INTEGRATED SENIORITY LIST OF SUPERINTENDENTS / SPECIAL CATEGORY STENOS, OFFICE OF THE CHIEF COMMISSIONER OF STATE TAX, A.P., VIJAYAWADA.

Sl. No.	Date of arising vacancy	Name of the Senior Assistant / Senior Stenos	Date of Birth	Date of Joining as Supdt./ Special Category Steno	Communal Roster	Remarks
125		S.Rajeswari		01.12.2001		Retired
126		R.S.R.Anjaneya Sarma		01.12.2001		Retired
127		Ch.Umadevi		01.12.2001		Retired
128		G.Chandrakala		28.11.2002		Retired
129		V.Venkateswara Rao	06.06.1966	29.12.2002		The individual promoted as Special Category Steno on 01-12-2001 without fulfilling the minimum service in the feeder category. Hence, his seniority considered after completion of three years service in the feeder category i.e., 29-12-2002.
130		N.Chandrasekhar Rao		07.03.2003		The individual promoted as Special Category Steno on 01-12-2001 without fulfilling the minimum service in the feeder category. Hence, his seniority considered after completion of three years service in the feeder category i.e., 07-03-2003.
131		J.Srinivas	28.12.1959	26.05.2005	---	Spl. Category Steno
132	29.04.2005	N.Chandrasekhar Rao		25.08.2005	1	Converted from the category of Spl. Category steno to Superintendent and Drafted to Secretariat as Section officer on 5-5-2012
133	31.08.2005	M.Subrrahmanyam (SC)	01.10.1965	19.11.2005	2 SC(W)	Allotted/ to Telangana
134	01.05.2007	N.Madhavi	01.02.1969	23.01.2010	3	Allotted to Telangana
135	31.01.2009	T.V.Bhaskar	03.08.1965	23.01.2010	4	
136	30.06.2009	S.V.P.Sarvani	15.06.1956	29-06-2012	5	Retired as Supdt.,
137	30.06.2009	B.Ramesh	09.11.1957	12-09-2012	6	Allotted to Telangana
138	30.06.2010	K.Sumitra (SC)		03.07.2012	7 SC	Expired
	05.05.2012	Carried forwarded			8 ST-W	
139	30.06.2012	K.V.S.Prasad	15.07.1956	15.12.2012	9	Retired as Supdt.,
140	30.06.2012	SKM Jani	01.08.1956	25-02-2013	10	Retired as Supdt.,
141	25.11.2012	C.V.S.Ravi Kumar	15.06.1960	01-08-2013	11	
142	25.11.2012	P.S.N.Rao	11.02.1959	13-11-2013	12	Allotted to Telangana
143	02.12.2012	Uma Maheswara Rao	27.01.1962	17-05-2014	13	Allotted to Telangana
144		D.Kaika (ST)	23.05.1979	26-02-2013		Promoted in Carried forward vacancy of 8 ST as she is qualified on 22-12-2012 - Sl.No8
145	26.06.2013	S.V.Ragavachryulu	01.07.1960	27-07-2016	14	
146	30.04.2014	ADP Raj Kumar	10.04.1967	27-07-2016	15	
147	30.06.2016	D.Sulochana (SC)	23.04.1976	01-08-2016	16 SC	
148	31.07.2016	P.V. Meenakshi	05.04.1958	09-12-2016	17	Retired as Supdt.,
149	31.07.2016	R.Venkata Subbaiah	15.09.1964	09-12-2016	18	
150	07.12.2016	Md. Ibrahim	11.05.1963	09-12-2016	19	
151	07.12.2016	O. Usha Rani	24.07.1957	09-12-2016	20	Retired as Supdt.,
152	07.12.2016	J. Gopal	03.05.1963	09-12-2016	21	

Sl. No.	Date of arising vacancy	Name of the Senior Assistant / Senior Stenos	Date of Birth	Date of Joining as Supdt./ Special Category Steno	Commu nal Roster	Remarks
153	07.12.2016	M.Jayavardhan (SC)	10.04.1975	09-12-2016	22 SC	
154	07.12.2016	R. Sambasiva Rao	14.08.1965	09-12-2016	23	
155	07.12.2016	K. Anantha Reddy	01.07.1959	09-12-2016	24	
156	07.12.2016	D.Veerabrahmam	01.04.1968	09-12-2016	25-ST	Adequacy reached filled with General
157	07.12.2016	P.A.B.K.V.K. Varma	26.12.1958	09-12-2016	26	
158	07.12.2016	J. Kristopher (SC)	02.10.1963	09-12-2016	27 SC	
159	07.12.2016	Ch. Gopal	01.04.1969	09-12-2016	28	
160	07.12.2016	N. Venkatrama Reddy	05.09.1961	09-12-2016	29	
161	07.12.2016	A. Balaveeranna	01.07.1962	09-12-2016	30	
162	07.12.2016	V. Bhanu Prasad	11.11.1967	09-12-2016	31	

T. K. RAMAMANI,
Secretary to Chief Commissioner (ST).

CHIEF COMMISSIONER OF STATE TAX ANDHRA PRADESH :: VIJAYAWADA.

CCST's Ref.No.C2/02/2018.

Dt: 05.05.2020.

ORDERS OF THE HON'BLE SUPREME COURT DT: 02.05.2019 IN C.A.NO.3300-3303 OF 2018 - Sri Y.SAMBASIVA RAO AND Sri K.VENKATRATNAM, SUPERINTENDENTS PLACED AT APPROPRIATE PLACE IN THE SENIORITY LIST OF SUPERINTENDENTS.

- Ref:- 1. CCT's Ref.No.C1/1085/1999, dt:31.07.2010.
 2. CCT's Ref.No.C1/1215/2003, dt:10.08.2010.
 3. CCT's Ref.No.C1/1085/1999, dt:10.01.2013.
 4. CCT's Ref.No.C2/02/2018, dt:14.11.2018.
 5. CCT's Ref.No.C2/02/2018, dt:04.11.2019.
 6. Orders of the Hon'ble Supreme Court dt:02.05.2019 in C.A.No. 3300-3303 of 2018.
 7. CCST's Ref.No.C3/211/2008, dt:05.05.2020.

ORDER:-

In the reference 1st cited, the seniority list of Superintendents for the period from 1962 to 2000 was finalized. In the reference 2nd cited, notional seniority in the cadre of Superintendent was assigned to Sri Y.Sambasiva Rao and Sri K.Venkatratnam w.e.f. 19.08.2000 on par with Sri P.N.Madhu, Superintendent.

In the reference 3rd cited, Show Cause Notice was issued proposed to place the names of Sri Y.Sambasiva Rao at Sl.No.123-A and Sri K.Venkatratnam at Sl.No.123-B, above Sri P.N.Madhu (Sl.No.124). The Show Cause Notice was not finalized.

In the reference 4th cited, seniority list in the cadre of Superintendents for the period from 2001 to 2016 was finalized. In the reference 5th cited Show Cause Notice was issued in the cadre of Superintendent for the period 2017 to 2019. In that list Sri Y.Sambasiva Rao and Sri K.Venkatratnam are placed at Sl.No. 163 & 164 respectively.

In the reference 6th cited, the Chief Commissioner(ST) ordered to withdrawing the orders issued vide CCT's Ref.No. C2/22/2017-1 & 2, dt:09.01.2017, C2/22/2017-3 &4, dt:09.01.2017, C2/22/2017-1 & 2, dt:10.01.2017 and C1/163/2012, dt:25.01.2017 (rescinding/ reverting promotion to the individuals).

In view of the withdrawing the above orders the individuals Sri Y.Sambasiva Rao and K.Venkatratnam, Superintendents are seniors among the other Superintendents.

The Hon'ble Supreme Court in its order dt:02.05.2019 in Civil appeal No.3300-3303 of 2018 ordered as follows:

"The appellants ought not to be deprived of the benefits which the State Government in its wisdom has considered fit to confer on them insofar as the monetary aspects are concerned. Thus, to that extent we modify the impugned order by limiting the conferment of benefits to the appellants by the State Government giving them retrospective monetary/ service benefits (except seniority) for all purposes from the date of their appointment originally as Junior Assistant. We are, however simultaneously of the view that this should not disturb the seniority inter se affecting the private respondents and, thus, the seniority be maintained as it was before the State Government conferred the retrospective financial benefits."

We order accordingly and modify the impugned order to the aforesaid extent and the appeals stand disposed of accordingly.

The differential of the monetary benefits be remitted to the appellants by the State Government within a maximum period of three months from today."

In view of the orders of the Hon'ble Supreme Court and as per the orders of the Chief Commissioner(ST) vide reference 6th cited hereby withdrawn the names of Sri Y.Sambasiva Rao and Sri K.Venkatratnam shown in the Show Cause Notice issued in the cadre of Superintendent at Sl.No.163 & 164 vide reference 5th cited and the names of the above two individuals are placed at Sl.No.141-A and 141-B below the name of Sri C.V.S.Ravi Kumar, (Sl.No.141) in the final integrated seniority list of Superintendents/ Special Category Stenos in the O/o Chief Commissioner(ST), A.P., Vijayawada which was finalized vide reference 4th cited.

PEEYUSH KUMAR,
Chief Commissioner (ST).

SECRETARY TO CHIEF COMMISSIONER OF STATE TAX (FAC) ANDHRA PRADESH :: VIJAYAWADA

Proceedings on CCSTs Ref.No.C2/2/2018

Dated: 12-03-2021.

PROVISIONAL INTEGRATED SENIORITY LIST IN THE CADRE OF SUPERINTENDENTS/
SPECIAL CATEGORY STENOS IN THE O/o CCST - ISSUANCE OF
SHOW CAUSE NOTICE - OBJECTIONS CALLED FOR - OBJECTIONS
RECEIVED - EXAMINED - FINILIZED INTEGRATED SENIORITY LIST IN
THE CADRE OF SUPERINTENDENTS / SPL. CATEGORY STENOS.

- Ref:- 1. CCST's Ref.No.C2/2/2018, dt.14.11.2018.
2. CCT's Ref.No.C2/2/2018, dated:04.11.2019.
3. Objection filed by Sri K.Venkataratnam, Supdt dt:05.11.2019
4. Objection filed by Sri P.Murali Krishna, Supdt dt:11.11.2019.
5. CCT's Ref.No.C2/2/2018, dated:05.05.2020.

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1. In the reference 1st cited, the Integrated Seniority list of Superintendents/ Special Category Stenographers in the Office of the Chief Commissioner of State Tax, Andhra Pradesh, Vijayawada was finalized upto the period from 2001 to 2016. This seniority list starts with name of Smt.S.Rajeswari (Sl.No.125) and ends with Sri V.Bhanu Prasad (Sl.No.162).
2. In the reference 2nd cited show cause notice was issued for finalization of integrated Seniority list of Superintendents/Spl.Category Stenos for the period from 2017 to 31.08.2019 and requested file written objections against the proposed integrated Seniority list of Superintendents/Spl.Category Stenos.
3. In the reference 5th cited, as per the orders of the Hon'ble Supreme Court Sri Y.Sambasiva Rao and Sri K.Venkata Ratnam, Superintendents are placed at Sl.No.141-A and 141-B below the name of Sri C.V.S.Ravi Kumar (Sl.No.141) in the final integrated seniority list of Superintendent/Spl. Category Stenos in the O/o Chief Commissioner(ST), A.P., Vijayawada which was finalized vide CCST's Ref.No.C2/2/2018 dated 14.11.2018.
4. In response to the show cause notice issued in the reference 2nd cited two Superintendents namely Sri K.Venkataratnam and Sri P.Murali Krishna filed their objections. Their objections and reply is as follows:
 1. Objections dated 05.11.2019 filed by Sri K.Venkataratnam, Superintendent:
He mentioned the earlier court orders and Government orders and requested to place in the Superintendent Seniority list in accordance with Supreme Court orders, in Civil Appeals 3300-3303 dated:02.05.2019.

Reply:

In view of the Hon'ble Supreme Court orders, vide CCST's Ref.No.C2/2/2018 dated 05.05.2020, the names of Sri Y.Sambasiva Rao and Sri K.Venkata Ratnam, Superintendents who are shown in the Show Cause Notice vide CCT's Ref.No.C2/02/2018, dt:04.11.2019 at Sl.No.163 & 164 are placed at Sl.No.141-A and 141-B below the name of Sri C.V.S.Ravi Kumar (Sl.No.141) in the final integrated seniority list of Superintendent/Spl Category Stenos in the O/o Chief Commissioner(ST), A.P., Vijayawada vide CCST's Ref.No.C2/2/2018 dated 05.05.2020.

2. Objections dated 11.11.2019 filed by Sri P.Murali Krishna, Superintendent:

He stated that the seniority list of Senior Assistants was finalized vide CCTs Ref.No.C2/22/2017 dt.07-06-2018, aggrieved by the said orders he approached the Government (appellate Authority) by way of filing an appeal dt.26.11.2018, and at present his appeal is pending consideration before the Government. He requested to grant 15 days time to submit his detailed objections and also requested not to finalize the seniority of Superintendent until his appeal filed against the seniority list of Senior Assistants is disposed off in the Government.

Reply:

The individual has not filed any further objections against the integrated seniority list of Superintendent/Spl Category Stenos for the period from 2017 to 31.08.2019. Further orders have not been received from the Government on the appeal filed by Sri P.Murali Krishna, Superintendent against the seniority list of Senior Assistant which was finalized vide CCTs Ref.No.C2/22/2017 dt.07-06-2018. Hence the objections is rejected.

In view of the above discussion final orders are hereby passed on the integrated seniority list of Superintendents/ Special Category Stenos of Office of the Chief Commissioner of State Tax, Vijayawada for the period from 2017 to 31-08-2019. Finalized seniority list enclosed as Annexure.

These final orders are issued subject to outcome of SLP's/WP's/ OA's/CAs/appeals pending, if any, before the respective Appellate forums.

I. SRINAGESH,
Secretary to Chief Commissioner (ST) (FAC).

ANNEXURE**(CCST's Ref.No.C2/2/2018, dt.12-03-2021)**

STATEMENT SHOWING THE FINALISED INTEGRATED SENIORITY LIST OF SUPERINTENDENTS / SPECIAL CATEGORY STENOS, OFFICE OF THE CHIEF COMMISSIONER OF STATE TAX, A.P., VIJAYAWADA FOR THE PERIOD FROM 2017 TO 31-08-2019.

Sl.No in seniority list	Name of the Superintendent / Special category Stenos	Date of Birth	Date of Joining	Remarks
163	G.Vijaya Lakshmi	19-03-1966	09.12.2016	
164	G.Subrahmanyam	10-05-1959	03.02.2017	Retired
165	M.Rajyalakshmi	14-08-1974	03.02.2017	
166	G.Nirmala Devi	20-08-1959	03.02.2017	Retired
167	S.Krupa Rao	10.09.1965	21.07.2017	Spl.Cat.Steno
168	K.R.Suryanarayana	12.06.1966	23.08.2017	
169	K.Seshu Kumar	06-08-1977	08.06.2018	
170	B.Bhaskar Rao	15-06-1964	07.12.2018	
171	Y.Malakondaiah	07-07-1979	07.12.2018	
172	Y.Lakshmikanth	02-06-1976	07.12.2018	
173	P.Murali Krishna	29-07-1977	01.01.2019	
174	G.Kullayappa	01-04-1974	12.06.2019	
175	P.Chaitanya	28-08-1984	04.07.2019	

I. SRINAGESH,
Secretary to Chief Commissioner (ST) (FAC).

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